

REMARKS

Claims 1-37 are pending in this Application and stand rejected. In view of the following remarks, the Applicant respectfully requests the Examiner's thoughtful reconsideration.

CLAIM REJECTIONS – 35 USC §102:

Claims 1-34 were rejected as being unpatentable over USPN 2001/0053947 to Lenz.

Claim 1 recites a method of relieving competition between processing jobs sharing a production device and recites the following steps:

- a. accessing from a user's browser a destination service representing at least one production device;
- b. retrieving said user's imaging information by said destination service;
- c. selecting among production options provided by said destination service for a processing job to process said imaging information using said at least one production device;
- d. estimating the time duration required to process said processing job using said production device with said selected production options;
- e. and comparing said estimated time duration with a previously determined threshold time duration, such that:
- f. if said estimated time duration exceeds said previously determined threshold time duration, then disabling processing of said processing job by said production device; otherwise
- g. if said estimated time duration does not exceed said previously determined threshold time duration, then enabling processing of said processing job by said production device.

To summarize, Claim 1, recites comparing an estimated time duration with a threshold time duration and disabling the processing of a processing job upon a condition that the estimated time duration exceeds the threshold time duration. The

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Examiner asserts that Lenz, paragraphs [0027] and [0028] teach this. The Examiner is mistaken.

Lenz paragraph [0027] simply describes a server (14) that can publish the current status of a job and job history allowing "for the monitoring and the progression" of jobs from a "remote location." Lenz contemplates that the published status information can include a start time and an estimated completion time. Lenz, paragraph [0028] discusses a "server service" for spooling "card processing job data or objects to other identification card personalization devices 10 or network devices 18 on network 12."

The Examiner mistakenly equates the spooling of data from a server to a device in Lenz paragraph [0028] with disabling processing of said processing job by said production device as recited by Claim 1. Lenz, without defining the term spooling, uses it twice – once in paragraph [0028] and once claim 24. The following definition of spooling is published at <http://webopedia.com/TERM/s/spooling.html>:

Acronym for *simultaneous peripheral operations on-line*, *spooling* refers to putting jobs in a buffer, a special area in memory or on a disk where a device can access them when it is ready. Spooling is useful because devices access data at different rates. The buffer provides a waiting station where data can rest while the slower device catches up.

The most common spooling application is print spooling. In print spooling, documents are loaded into a buffer (usually an area on a disk), and then the printer pulls them off the buffer at its own rate. Because the documents are in a buffer where they can be accessed by the printer, you can perform other operations on the computer while the printing takes place in the background. Spooling also lets you place a number of print jobs on a queue instead of waiting for each one to finish before specifying the next one.

Plainly, Lenz's spooling of data to device is not synonymous with disabling of a processing job by a production device. Consequently, Lenz does not teach or suggest disabling processing of a processing job by a production device as recited by Claim 1.

Moreover, even if the Examiner's assertion is assumed to be true, which it is not, there is NO suggestion that Lenz's "card processing job data or objects" are spooled according to a comparison of an estimated time duration with a threshold time

duration. Lenz neither describes nor suggests the conditional spooling of "card processing job data or objects." Consequently, Lenz does not teach or suggest disabling processing of a processing job upon a condition that an estimated time duration exceeds a threshold time duration as recited by Claim 1.

For at least these reasons Claim 1 is patentable over the cited references as are Claims 2-25 due at least in part to their dependence from Claim 1.

Claim 26 is directed to a destination service representing a production device that is operable to implement the method of Claim 1. For at least the same reasons Claim 1 is patentable over Lenz, so are Claim 26 and Claims 27-34 which depend from Claim 26.

CLAIM REJECTIONS -- 35 USC §103(a):

Claims 35-37 were rejected under § 103(a) as being anticipated by HiKIS (Office World News. "Hitachi Koki: Connecting the Future of Business", Ft. Lauderdale: June 2000. Vol. 28) in view of US Pub 200210171864 to SeseK.

As admitted by the Examiner, SeseK qualifies as prior art only under Section 102(e). Hewlett-Packard Development Company (or its predecessor in interest Hewlett-Packard Company) owned SeseK and the present Application at the time of the invention, as is evident from the assignments of SeseK recorded August 13, 2001 and September 30, 2003 at reel/frame 012081/0140 and 014061/0492, respectively, and the assignments of this Application recorded February 1, 2002 and September 30, 2003 at reel/frame 012594/0756 and 014061/0492, respectively. Pursuant to Section 103(c), therefore, SeseK shall not preclude patentability of Claim 35-37 under §103.

For at least this reason, Claims 35-37 are patentable over the cited references.


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CONCLUSION

Claims 1-37 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,
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